



FOR IMMEDIATE RELEASE  
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District of Arizona*

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## **CONVICTED FELON SENTENCED TO TWO 16-MONTH SENTENCES FOLLOWING TWO NEW FELONY PROSECUTIONS**

TUCSON – On March 19, 2007, Kenneth Wade Irby, 41, of Phoenix, was sentenced here to two sentences of 16 months in federal prison, to be followed by 3 years of supervised release, by U.S. District Judge Frank R. Zapata. The sentences were ordered to run concurrently. Irby pleaded guilty on November 13, 2006, to two separate indictments in which he was charged with illegal possession of ammunition by a convicted felon and illegal possession of a firearm by a convicted felon. His prior felony conviction was for illegal possession of a machine gun and improper storage of explosives.

On December 19, 2005, the Pima County Sheriff's Department made contact with Irby during an arson investigation. During that contact, it was discovered that Irby had four .22 caliber rifle bullets in his right front pocket, and that he was a prior convicted felon. The deputy sheriff referred the matter to the Bureau of Alcohol, Tobacco, Firearms and Explosives for possible federal investigation and prosecution. On May 31, 2006, an arrest warrant was issued for Irby to face federal criminal charges based on his December 19, 2005 possession of ammunition.

On July 17, 2006, the Pima County Sheriff's Department again made contact with Irby, this time as a result of a traffic stop on the vehicle he was driving. Upon discovering the driver's identity and confirming the active federal warrant, Irby was arrested. During a subsequent search, it was discovered that Irby was in possession of a 12-gauge shotgun and had three 12-gauge shotgun shells in his left front pocket.

Irby was charged and prosecuted in two separate criminal cases in U.S. District Court, based on his two separate violations of federal firearms laws in December 2005 and again in July 2006. He pleaded guilty to the indictments in both cases without plea agreements from the government.

Irby's prosecution is part of the District of Arizona's Project Safe Neighborhoods, an illegal firearms enforcement program. The effectiveness of Project Safe Neighborhoods in Arizona is based on the ability of federal, state, and local agencies to cooperate in a unified offensive that is led by the U.S. Attorney. Through ongoing partnerships among federal, state, and local law enforcement and prosecutorial agencies, like the one in this case, the U.S. Attorney is implementing a series of strategies that are contoured to fit the specific gun crime problems throughout Arizona.

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Both of the investigations in this case were conducted by the Pima County Sheriff's Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives. The prosecutions were handled by Jennifer J. Maldonado, Assistant U.S. Attorney, District of Arizona, Tucson.

CASE NUMBER: CR-06-01459-TUC-FRZ and CR-06-01460-TUC-FRZ  
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